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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/942,618 | 08/31/2001 | Toshihiro Yajima | 501.40560X00 | 9083 |

20457 7590 06/29/2004

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EXAMINER

SHANKAR, VIJAY

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2673

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,618

Applicant(s)

YAJIMA ET AL.

Examiner

VIJAY SHANKAR

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 1-4 and 8-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>6.9</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

2. Applicant's election with traverse of Species 18, comprising Claims 5-7 in the reply filed on 5-17-2004 is acknowledged. The traversal is on the ground(s) that there are some generic claims. This is not found persuasive because upon allowance some generic claims can be claimed which depends on Independent Claim 5.

The requirement is still deemed proper and is therefore made FINAL.

Claim Objections

3. Claim 5 is objected to because of the following informalities: Claim 5, line 5; delete the second " at ". Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 5-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Lengyel et al (5,907,222) .

Regarding Claim 5, Lengyel et al teaches a liquid crystal display device (col.1, lines 19-26; col.4, lines 33-49) comprising: a liquid crystal display panel having a display part in its central portion except its periphery; and a backlight disposed on a back side of the liquid crystal display panel (figs. 1-3), the backlight including a discharge tube (figs.1-5; col.17, lines 10-32) having electrodes at least its opposite ends (figs.1-5; col.9, lines 15-35), the electrodes being disposed at the exterior of the discharge tube, at least one of the opposite end portions of the discharge tube where the respective electrodes are constructed as a bent portion which is bent with an angle with respect to the central axis of the discharge tube (figs.1-3; col.1, lines 27-62; col.7, lines 14-55; col.8, lines 54-64; col.9, line 60- col.10, line 16; col.11, line 59- col.12, line 63) , at least the portion of the bent portion where the electrode is formed being superposed in the area of the display part of the liquid crystal display panel (figs.1-5; col.1, lines 27-62; col.7, lines 14-55; col.8, lines 54-64; col.9, lines 15-35).

Regarding Claim 6, Lengyel et al teaches a liquid crystal display device wherein at least one of the opposite end portions of the discharge tube where the respective electrodes are disposed is bent at greater than 90 and not greater than 180 with respect to the central axis of the discharge tube (figs.1-3; col.1, lines 27-62; col.7, lines 14-55; col.8, lines 54-64; col.9, line 60- col.10, line 16; col.11, line 59- col.12, line 63).

Regarding Claim 7, Lengyel et al teaches a liquid crystal display device wherein at least one of the opposite end portions of the discharge tube where the respective electrodes are disposed is bent at 180 with respect to the central axis of the discharge tube toward the opposite side to the liquid crystal display panel (figs.1-3; col.1, lines 27-62; col.7, lines 14-55; col.8, lines 54-64; col.9, line 60- col.10, line 16; col.11, line 59- col.12, line 63).

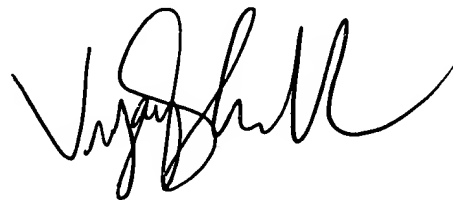
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Broer and Kaji et al teach the LCD and backlight.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VIJAY SHANKAR whose telephone number is 703-305-4763. The examiner can normally be reached on M-F 7:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BIPIN SHALWALA can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIJAY SHANKAR
Primary Examiner
Art Unit 2673

VJS